

Moved by Darrington

Seconded by Davis

IN THE SENATE  
SENATE AMENDMENT TO S.B. NO. 1382

AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 1, delete "or"; in line 2, delete "affinity"; in line 4, following "child" insert: "has resided with the individual without a parent present and with a lack of demonstrated consistent participation by a parent"; following line 9, insert:

"(c) For purposes of the definition in this section, "lack of demonstrated consistent participation" by a parent means refusal or failure to comply with the duties imposed upon the parent by the parent-child relationship. When determining a "lack of demonstrated consistent participation," the court may consider parent involvement in providing the child necessary food, clothing, shelter, health care and education and in creating a nurturing and consistent relationship for the child's physical, mental or emotional health and development.

(2) In determining if a petitioner or intervenor is a de facto custodian for the child, the court shall also take into consideration whether the child is currently residing with the petitioner or intervenor and, if not, the length of time since the child resided with the petitioner or intervenor."; in line 10, delete "(2)" and insert: "(3)"; in line 14, delete "(3)" and insert: "(4)"; and on page 3, in line 37, delete "appointment" and insert: "qualification".

AMENDMENT TO SECTION 3

On page 5, in line 36, delete "32-1703" and insert: "32-1705".